

Ronald C. Specter, Esq. (SBN: 118417)
Michael H. Artinian, Esq. (SBN: 203443)
SPECTER & WILLOUGHBY, LLP
4675 MacArthur Court, Suite 1150
Newport Beach, CA 92660
Telephone: (949) 833-9400
Facsimile: (949) 833-9425

Attorneys for Defendant,
CIRCLE K STORES INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VICKI WEST, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

CIRCLE K STORES, INC., a foreign
corporation,

Defendant.

Case No. CIV.S-04-0438 WBS GGH

**[Proposed] ORDER GRANTING CIRCLE K
STORES INC.'S AMENDED EX PARTE
APPLICATION FOR A PROTECTIVE
ORDER, AND SETTING JOY POWELL'S
DEPOSITION FOR JUNE 9, 2005**

Hon. WILLIAM B. SHUBB
Courtroom 5

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:

The amended ex parte application submitted by Defendant Circle K Stores Inc. for a protective order allowing Joy Powell's deposition to take place within 10 days after the discovery cut-off deadline came on for hearing via telephonic conference call before this Court. Charles Jones, Esq. appeared for Plaintiff. Michael Artinian, Esq. appeared for Defendant.

After consideration of the papers and arguments of counsel, and all other matters presented to the Court, and conferring by telephone with counsel for both sides IT IS HEREBY ORDERED that Defendant's Amended Ex Parte Application is GRANTED as follows:


The deposition of Joy Powell shall commence on June 9, 2005 at 10:00 a.m. in defense counsel's office located at 4675 MacArthur Court, Suite 1150, Newport Beach, CA 92660.

Plaintiff's counsel also indicated to the Court that Plaintiff will be submitting a motion to the

1 Court requesting leave to amend the complaint to add new class representatives. The Court has
2 made no rulings with regard to Plaintiff's anticipated motion to amend the complaint. However, in
3 the event the Court grants Plaintiff's anticipated motion for leave to amend the Complaint to add
4 new class representatives, Defendant shall be afforded a reasonable opportunity to conduct discovery
5 as to the additional class representatives.

6 IT IS SO ORDERED.
7

8 Dated: May 18, 2005
9



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

11 APPROVED AS TO FORM:
12

13 /s/
Charles Jones, Esq.
COUNSEL FOR PLAINTIFF
14

15
16 /s/
Michael H. Artinian, Esq.
COUNSEL FOR DEFENDANT
17
18
19
20
21
22
23
24
25
26
27
28